



THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application

Inventors: DeOrnellas, et al.

Application No.: 10/045,318

Confirm. No.: 3120

Filed: November 9, 2001

Title: METHOD FOR USING A HARD MASK FOR
CRITICAL DIMENSION GROWTH
CONTAINMENT

PATENT APPLICATION

Art Unit: 1765

Examiner: L. Umez Eronini

Customer No. 23910

CERTIFICATE OF MAILING UNDER 37 C.F.R. §1.8

I hereby certify that this correspondence is being deposited in the United States Postal Service with sufficient postage as first class mail in an envelope addressed to Mail Stop RCE, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450, on October 27, 2004.

Thomas A. Ward (Attorney Signature)
Thomas A. Ward, Reg. 35,732
Signature Date: October 27, 2004

REQUEST FOR CONTINUED EXAMINATION UNDER 37 C.F.R. §1.114

Mail Stop RCE
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Dear Sir:

Applicants hereby request continued examination of the above-identified utility patent application. The subject patent application was filed on or after June 8, 1995 and this paper is being filed prior to the earliest of: (1) Payment of the issue fee, unless a petition under 37 C.F.R. §1.313 is granted; (2) abandonment of the application; or (3) the filing of a notice of appeal to the U.S. Court of Appeals for the Federal Circuit under 35 U.S.C. 141, or the commencement of a civil action under 35 U.S.C. 145 or 146, unless the appeal or civil action is terminated. 37 C.F.R. §1.114(a).

Transmitted with this communication are the following:

- ☐ An Amendment or Response.
- ☒ A Petition for an Extension of Time under 37 C.F.R. §1.136.
- ☐ An Information Disclosure Statement pursuant to 37 C.F.R. §1.56.

11/02/2004 HALI11 00000081 061325 10045318

01 FC:2801 395.00 DA

Attorney Docket No.: TEGL-01082US3
taw/tegl/1082us3/1082us3.106

_____ A Request for Suspension of Action Pursuant to 37 C.F.R. §1.103.

_____ Other: _____.

Previously submitted are the following:

✓ _____ Consider the Amendment(s)/Response under 37 C.F.R. §1.116 previously filed on September 7, 2004.

_____ Other: _____.

Small Entity Statement

✓ _____ Applicant(s) qualify for small entity status under 37 C.F.R. §1.27.

The fee associated with this communication has been calculated as shown below:

✓ _____ A fee of \$395.00 is due pursuant to 37 C.F.R. §1.17(e) for the filing of this Request for Continued Examination.

✓ _____ A fee for extension of time for response under 37 C.F.R. §1.136 filed within 2 month(s) after the original time for response of \$215.00 is due.

_____ A fee of \$130.00 is due under to 37 C.F.R. §1.17(h) for filing a Request for Suspension of Action *for cause*. [37 C.F.R. §1.103(a)]

_____ Applicant(s) respectfully request a refund of this fee because, as more fully set forth in the Request for Suspension of Action, Applicant(s) submit that the cause of the suspension is the fault of the Patent and Trademark Office.

_____ A fee of \$130.00 is due under to 37 C.F.R. §1.17(i) for filing a Request for Suspension of Action *not* for cause. [37 C.F.R. §1.103(c)]

_____ A fee for addition of claims under 37 C.F.R. §1.16 is due as follows:

The total fee required with this communication is \$ 610.00 and is to be paid as follows:

✓ _____ Please charge Deposit Account No. 06-1325 in the amount of \$610.00. A duplicate copy of this authorization is enclosed.

_____ A check in the amount of \$ _____ is enclosed.

✓

The Commissioner is hereby authorized to charge any deficiencies or credit overpayment to Deposit Account No. 06-1325. A duplicate copy of this authorization is enclosed.

Respectfully submitted,

Date: 10/27/04

By: Thomas A. Ward
Thomas A. Ward, Reg. 35,732

FLIESLER MEYER LLP
Four Embarcadero Center, Fourth Floor
San Francisco, California 94111-4156
(415) 362-3800